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SENATE

{ REPORT
No. 97

MADELEINE QUAREZ

FEBRUARY 19 (legislative day, JANUARY 29), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 47]

The Committee on the Judiciary, to which was referred the bill (S. 47) for the relief of Madeleine Quarez, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to enable Madeleine Quarez, a citizen of Belgium who was born in China of Belgian parents, to apply for an immigration visa for admission into the United States for permanent residence under the quota for Belgium.

STATEMENT OF FACTS

The beneficiary of the bill is a 21-year-old citizen of Belgium who was born in China of Belgian parents. She is a member of the Latter Day Saints Church and desires to join the main body of Saints in Utah and Nevada. Due to the fact that Miss Quarez was born in China she is chargeable to the Chinese quota although she is a Belgian and her parents were Belgians. Had she been born in Belgium she could readily obtain a quota immigration visa.

A letter dated January 25, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

JANUARY 25, 1951.

HON. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 47) for the relief of Madeleine Quarez, an alien.

The bill would provide that Madeleine Quarez, who was born in China of Belgian parents, shall be deemed to have been born in Belgium.

The files of the Immigration and Naturalization Service of this Department disclose that the alien is a citizen of Belgium and was born on September 7, 1929, at the International Settlement in Tientsin, China. Mrs. Lawrence Jeppson of Reno, Nev., stated that her son, a missionary for the Latter Day Saints Church, became acquainted with the alien in France or Belgium. It appears that Miss Quarez has been educated in Catholic convents in China, and is presently employed in Liege, Belgium, where she resides with her mother and brother.

Section 12 (a) of the Immigration Act of 1924 specifically provides that for the purposes of that act, nationality shall be determined by the country of birth. The alien is, therefore, chargeable to the Chinese geographical quota, which is oversubscribed and an immigration visa is not readily obtainable. The record fails to present any facts, however, which would justify the enactment of special legislation exempting her from the usual requirements of the immigration laws.

Accordingly, the Department of Justice is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The following letters from Elder Lawrence S. Jeppson, a missionary for the Latter Day Saints Church, offer additional information in connection with the case:

LIEGE, BELGIUM, May 13, 1950.

The Honorable PAT McCARRAN,
United States Senator from Nevada,
United States Capitol, Washington, D. C., U. S. A.

DEAR SENATOR McCARRAN: I write this letter to you because as a preeminent authority on American immigration law and chairman of the Senate Judiciary Committee, your knowledge of American immigration procedure and rules is probably unequaled in the United States. Though your senatorial duties present you with the greatest problems of the day, I hope you can lend your influence and knowledge to a smaller problem, which, however, is very important for the happiness of those concerned.

The situation I ask you to aid concerns the projected immigration of one Madeleine Quarez, 20, a Belgian citizen. She is a serious investigator of the Church of Jesus Christ of Latter-Day Saints, which she will shortly join. She desires to immigrate to Nevada, where she can live as a member of a larger body of church members. The Mormons are, as you know, the second largest religious group in Nevada. Her sponsorship papers are already all arranged, and her immigration could be expedited immediately except for one technicality in American immigration law.

Miss Quarez, though born of Belgian banking parents, was born in Tientsin, China, and has been registered under the Chinese (White) quota by the American consulate general, Antwerp, Belgium. She is informed that her immigration can justifiably be considered impossible because of the negligible quota for people there born.

As I see it, however, there is a technicality in her case that can be applied. Miss Quarez was born in the English concession, 90 Victoria Road, Tientsin, September 7, 1929. By the principal of extraterritoriality, it would seem to me that she should be considered as being born not in China but in Great Britain. Or, if immigration law can somehow be applied to nationality of birth instead of locality, she should be permitted to immigrate as a Belgian. To protect her Belgian citizenship, her birth was registered with the Belgian consulat general of Tientsin.

Inasmuch as there is practically no waiting period for immigrants with proper papers on the Belgian quota, I should be much appreciative if you could get Miss Quarez's classification changed from the Chinese quota to the Belgian; or, this

failing, if you could get it changed, because of extraterritoriality, to the British. Or, if there is no way you can get the classification changed, it would be appreciated with heartfelt thanks if you could obtain more or less immediate approval for her as an immigrant on the Chinese (white) quota.

You may rest assured of the character of this person. As a missionary for the Mormon Church I have had a good opportunity to get to know her, and I can assure you that her character is highly thought of in the community. She has a good education and, thanks to early schooling in the British concession in China, she speaks both French and English as native languages. She was recently offered a good position by the United States Embassy at Bruxelles and is now employed in a responsible administrative position by the largest chain of department stores in Belgium.

She would have no trouble in supporting herself in the States, of marrying, and becoming a fine citizen. She would bring to our Nation more of the qualities which have given it its greatness. Members of the church in Nevada are anxious to help her make a new life in a land where religious liberty is regarded more sacredly.

Any help you can give her in this matter will be honestly appreciated, not only by the people involved but, I think, the Divine Recorder of human kindnesses.

Yours very sincerely,

Elder LAWRENCE S. JEPSON,
Latter-Day Saints Missionary and
Editor of the magazine, L'Etoile.

EGLISE DE JÉSUS-CHRIST DES SAINTS DES DERNIERS JOURS,
LA MISSION FRANÇAISE,
Genève, Switzerland, July 4, 1950.

Senator PAT McCARRAN,
United States Senate, Committee on the Judiciary,
Washington, D. C., U. S. A.

DEAR SENATOR McCARRAN: I was very gratified at your considerate reponse to my recent letter concerning Madeleine Quarez and the bill that you have introduced for her relief.

Most of the facts I believe I have already given. Her sponsorship papers have been obtained, and it is this matter of Chinese quota which makes emigration impossible.

The merits of her case, the actual emigration, I would imagine fall properly under the emigration authority and should be reserved to be given to this authority upon the passage of the bill.

If you find that there is any other information which should be presented before the Judiciary Committee, I am anxious to respond. But I don't specifically know what is required.

With the outbreak in Korea, I realize the added worries put on the shoulders of the Senate; nevertheless, I trust that this bill may be acted upon, and not lost by recess.

The seat of my work is now in Geneva, but I am of course in correspondence with the concerned parties in Belgium. Correspondence should be addressed to me here, at the Mission Française.

Thanking you again for your most generous efforts, I remain,

Yours sincerely,

ELDER LAWRENCE S. JEPSON.

EGLISE DE JÉSUS CHRIST DES SAINTS DES DERNIERS JOURS,
LA MISSION FRANÇAISE,
Geneve, Switzerland, January 15, 1951.

The Honorable PAT McCARRAN
Chairman, Committee on the Judiciary,
United States Senate,
Washington D. C., U. S. A.

DEAR SENATOR McCARRAN: Reference is made to your letter of June 5, 1950. Not having heard from you in reference to Senate bill, S. 3647, for the relief of Madeleine Quarez, I suppose the action has died with the last Congress. However, the need of passage for this piece of legislation remains the same; in fact,

viewing world conditions on a whole, one sees that the matter has become even more urgent.

Knowing the press caused by the war and by the elections, I have refrained from writing you these past months, hoping that you would be quietly working on the matter, which may very well be the case. I know that shortly before elections immigration people called on my parents and made inquiries about Miss Quarez; this seemed somewhat irregular inasmuch as she has never received any notification of change in quota or prospects of ever being considered for immigration under existing conditions.

Since my last letters, Miss Quarez has become officially a member of the Latter Day Saints Church, and she is more anxious than ever to join the main body of Saints in Utah and Nevada. Her character and ability are attested to by the fact that both the United States Embassy in Brussels and the officials of the Atlantic Pact mission in Belgium have approached her several times with offers of employment.

I should appreciate it very much if you could reintroduce and secure passage of this measure, or, if some other means is feasible, get the case considered by the immigration department immediately.

In 2 months I shall be leaving Europe, and I trust that before that time this matter may be brought to a very satisfactory conclusion. I feel to thank you for the effort and consideration you have given thus far on this situation.

Sincerely yours,

ELDER LAWRENCE S. JEPFSON.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 47) should be enacted.

